

ALLEGED SHIPMENT: On or about September 11 and November 19, 1952, from Minneapolis, Minn.

PRODUCT: 115 50-pound bags of flour at Mason City, Iowa, in the possession of the Mason City Warehouse Corp.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 9, 1953. Carroll Sales Co., Inc., Mason City, Iowa, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for segregation of the fit from the unfit portion, under the supervision of the Food and Drug Administration. 489 pounds of the product were found unfit and were denatured.

20054. Adulteration and misbranding of enriched flour and enriched self-rising flour. U. S. v. Kansas Milling Co. Plea of nolo contendere. Fine of \$400, plus costs. (F. D. C. No. 34305. Sample Nos. 22276-L, 32239-L.)

INFORMATION FILED: December 30, 1952, District of Kansas, against the Kansas Milling Co., a corporation, Cherryvale, Kans.

ALLEGED SHIPMENT: On or about September 3, 1951, and January 11, 1952, from the State of Kansas into the States of Missouri and Mississippi.

LABEL, IN PART: "Full Value Enriched Flour" or "Enriched Self-Rising Flour"
* * * Full Value Enriched Flour."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the articles had been in part omitted, namely, vitamin B₁, riboflavin, niacin, and (enriched flour only) iron.

Misbranding, Section 403 (a), the labeling of the articles contained false and misleading statements. The statements represented and suggested that 8 ounces of the articles contained not less than 100 percent of the minimum daily requirements of the body for vitamin B₁, not less than 30 percent of the minimum daily requirements of the body for riboflavin, not less than 8 milligrams of niacin, and (enriched flour only) not less than 65 percent of the minimum daily requirements of the body for iron. 8 ounces of the articles contained less than the above-stated proportions of the minimum daily requirements of the body for vitamin B₁ and riboflavin and less than 8 milligrams of niacin, and 8 ounces of the enriched flour contained less than 65 percent of the minimum daily requirements of the body for iron. Further misbranding, Section 403 (g) (1), the articles failed to conform to the definitions and standards of identity for enriched flour and enriched self-rising flour since each pound contained less than 2 milligrams of thiamine (vitamin B₁), less than 1.2 milligrams of riboflavin, less than 16 milligrams of niacin, and (enriched flour only) less than 13 milligrams of iron.

DISPOSITION: February 2, 1953. A plea of nolo contendere having been entered, the court fined the defendant \$400, plus costs.

MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

20055. Misbranding of popped popcorn. U. S. v. 31 Cases * * *. (F. D. C. No. 34284. Sample No. 42457-L.)

LABEL FILED: December 17, 1952, District of Oregon.

ALLEGED SHIPMENT: On or about November 11, 1952, by Famous Foods, from Fort Worth, Tex.

PRODUCT: 31 cases, each containing 30 bags, of popped popcorn at Phoenix, Oreg.

LABEL, IN PART: (Bag) "Tom's Fresh 10¢ * * * Pop Corn Net Wt. 1-½ Ozs."

NATURE OF CHARGE: Misbranding, Section 403 (e) (2), the product failed to bear a label containing an accurate statement of the quantity of the contents since the bags contained less than the labeled amount; and, Section 403 (k), the product contained artificial coloring and failed to bear labeling stating that fact.

DISPOSITION: March 3, 1953. Default decree of condemnation and destruction.

20056. Adulteration of wheat. U. S. v. 93,600 Pounds * * *. (F. D. C. No. 34496. Sample No. 20208-L.)

LABEL FILED: December 16, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about December 1, 1952, by the Hettinger Coop. Equity Exchange, from Hettinger, N. Dak.

PRODUCT: 93,600 pounds of wheat at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta.

DISPOSITION: February 4, 1953. The Farmers Union Grain Terminal Association, St. Paul, Minn., having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for reprocessing by cleaning and scouring under the supervision of the Federal Security Agency. As a result of the reprocessing operations, 27,960 pounds of the product were found unfit and were set aside for sale as animal feed.

20057. Adulteration of wheat. U. S. v. 61,920 Pounds * * *. (F. D. C. No. 34527. Sample No. 20378-L.)

LABEL FILED: January 7, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about December 11, 1952, by Peavey Elevator, from Ferney, S. Dak.

PRODUCT: 61,920 pounds of wheat at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (2), the product contained an added poisonous and deleterious substance, a mercurial compound, which is unsafe within the meaning of the law since it is a substance not required in the production of the food and can be avoided by good manufacturing practice; and, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent pellets.

DISPOSITION: January 13, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be processed into seed, under the supervision of the Federal Security Agency.